

Message Text

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ACTION ARA-14

INFO OCT-01 ISO-00 CIAE-00 DODE-00 PM-05 H-01 INR-07

L-03 NSAE-00 NSC-05 PA-01 PRS-01 SP-02 SS-15

USIA-06 /061 W

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R 101842Z AUG 77

FM AMEMBASSY CARACAS

TO SECSTATE WASHDC 8730

INFO AMEMBASSY BRIDGETOWN

AMEMBASSY GEORGETOWN

AMEMBASSY KINGSTON

CONFIDENTIAL CARACAS 7922

E.O. 11652: N/A

TAGS: PINS, SOPN, VE, US

SUBJECT: PRESIDENT PEREZ PLANS BRING FURTHER CHARGE

OF DEFAMATION AGAINST ORLANDO BOSCH

REF: CARACAS 6787 (NOTAL)

1. THE GOV INFORMATION MINISTRY RELEASED A STATEMENT AUGUST 9 DENYING AN "EL NACIONAL" STORY OF THAT DATE THAT PRESIDENT PEREZ PLANNED TO SUE THE ENGLISH-LANGUAGE NEWSPAPER "THE DAILY JOURNAL" (DJ) FOR DISRESPECT TO THE PERSON OF THE PRESIDENT FOR HAVING PUBLISHED AN INTERVIEW JULY 5 (SEE REFTEL) WITH ORLANDO BOSCH. INFORMATION MINISTRY STATEMENT SAID THAT GOV REQUESTED MINISTRY OF JUSTICE TO UNDERTAKE APPROPRIATE STEPS TO CHARGE BOSCH HIMSELF UNDER THE PENAL CODE.

2. "EL NACIONAL" STORY STATED THAT PEREZ HAD REQUESTED THAT A LEGAL SUIT BE INTRODUCED AGAINST THE DJ, BASED ON ARTICLE 148 OF THE PENAL CODE WHICH STATES: "HE WHO OFFENDS BY DISRESPECT, BY WORD, OR IN WRITING OR IN ANY OTHER MANNER THE PRESIDENT OF THE REPUBLIC OR WHOEVER ASSUMES CONFIDENTIAL

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HIS POSITION, WILL BE PUNISHED WITH PRISON FOR SIX MONTHS TO THIRTY MONTHS, IF THE OFFENSE IS CONSIDERED SERIOUS, OR WITH ONE-HALF OF THIS PENALTY IF THE OFFENSE IS CONSIDERED SLIGHT. THE PENALTY WILL BE INCREASED BY ONE-THIRD IF THE OFFENSE IS DONE PUBLICLY."

3. EVENING AUGUST 9 PRESIDENT PEREZ TOLD THE AMBASSADOR

THAT GOV HAD NEVER PLANNED TO SUE THE DJ, BUT RATHER WOULD CHARGE BOSCH WITH "DISRESPECT" TO THE PRESIDENT (PRESUMABLY UNDER THE ABOVE-MENTIONED ARTICLE 148).

4. COMMENT: THE BOSCH INTERVIEW CONTAINED ALLEGATIONS BY BOSCH (REFTEL) THAT THE GOV HAD PERMITTED HIM TO RETURN TO VENEZUELA FREELY AND THAT BOSCH HAD A MEETING SCHEDULED WITH PRESIDENT PEREZ FOR MID-OCTOBER, 1976. BOSCH ALSO CLAIMED THAT PEREZ WAS A "TRAITOR" TO THE CAUSE OF FREEDOM IN LATIN AMERICA. THESE ALLEGATIONS IMPLIED NOT ONLY THAT GOV HAD FOREKNOWLEDGE OF BOSCH'S MOVEMENTS, BUT THAT PEREZ PERSONALLY KNEW AND APPROVED OF THEM. THESE ALLEGATIONS ARE THEREFORE QUITE DAMAGING TO BOTH GOV AND TO PRESIDENT PEREZ' DISCLAIMERS OF ANY COMPLICITY (HOWEVER REMOTE) WITH ORLANDO BOSCH. ACTION BY THE PRESIDENT INDICATES HIS FIRM DESIRE ONCE AGAIN TO DEMONSTRATE PUBLICLY THE GOV WILL NOT ACCEPT ATTEMPTS BY BOSCH OR LATTER'S SUPPORTERS TO DISCREDIT GOV. THIS DEVELOPMENT FOLLOWS IN THE WAKE OF THE JAILING OF THE DEFENSE LAWYERS FOR THE "CUBANA AIRLINER" DEFENDANTS, INCLUDING BOSCH'S LAWYER (CARACAS 7763 AND 7532).

5. ALSO, "EL NACIONAL" EMERGES WITH CONSIDERABLE EGG ON ITS FACE. WE GATHER ITS REPORTERS THOUGHT THEY HAD A SCOOP, BUT MANAGED TO MISTAKE THE DEFENDANT.

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